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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/586,858-Conf. #8377 |
| | Filing Date | June 5, 2000 |
| | First Named Inventor | Avery OSGOOD |
| | Art Unit | 1743 |
| | Examiner Name | S. P. Siefke |
| Total Number of Pages in This Submission | Attorney Docket Number | 0111453.00125US1 |

| ENCLOSURES (Check all that apply) | | |
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| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | WILMER CUTLER PICKERING HALE AND DORR LLP | | |
| Signature | | | |
| Printed name | Michael A. Diener | | |
| Date | October 23, 2006 | Reg. No. | 37,122 |

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| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
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Dated: October 23, 2006 Signature: *Fay Guarino*
(Fay Guarino)

Docket No.: 0111453.00125US1

Docket No.: 0111453.00125US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------|--|-------------------|--------------|
| Applicant: | Avery OSGOOD et al. | Confirmation No.: | 8377 |
| Application No.: | 09/586,858 | Art Unit: | 1743 |
| Filed: | June 5, 2000 | Examiner: | S. P. Siefke |
| Title: | METHOD AND APPARATUS FOR WASHING AND DRYING PINS IN MICROARRAY SPOTTING INSTRUMENTS | | |

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**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF**

Applicants submit the following timely Response to the Notification of Non-Compliant Appeal Brief mailed September 21, 2006.

In the Notification, the Examiner indicated that the Summary of claimed subject matter failed to identify and map independent claims 1, 102, and 118 to the specification by page and line number according to 37 CFR 41.37(c)(1)(v). Applicants believe that an entirely new brief need not be submitted, but rather a paper providing a summary of the claimed subject matter will suffice (MPEP 1205.03(B)). Thus, Applicants offer the following remarks in order to address the Examiner's concerns.

The claims are generally directed to integrated methods of washing pins in microarray spotting instruments. The methods "allow pins to be washed and dried while substantially in one position, i.e., without requiring significant movement of a printhead holding the pins between washing and drying cycles" (p. 12, lines 6-9). Claims 1, 102, and 118 are independent.

Claim 1 is directed to a method of washing and drying a pin without substantially moving the pin from a given position, including washing the pin by impinging a fluid depositing tip of the pin with at least one stream of wash fluid. The method includes the following limitations, support for which in the specification is indicated parenthetically, noting that the cited embodiments are intended simply to provide an illustrative example of the claimed subject matter:

moving said pin to a given position (p. 12, lines 6-9);
washing said pin while in said given position by impinging a fluid depositing tip of said pin with at least one stream of wash fluid (p. 12, lines 6-9, p. 13, lines 14-25); and
drying said pin without substantially moving said pin from said given position (p. 12, lines 6-9).

Claim 102 is directed to a method of washing and drying a pin without substantially moving the pin from a given position, including drying the pin by flowing air past the pin. The method includes the following limitations, support for which in the specification is indicated parenthetically, noting that the cited embodiments are intended simply to provide an illustrative example of the claimed subject matter:

moving said pin to a given position (p. 12, lines 6-9);
washing said pin while in said given position (p. 12, lines 6-9);
drying said pin without substantially moving said pin from said given position by flowing air past said pin (p. 16, lines 22-27),
said air being of lower humidity than air in an enclosure containing the spotting instrument, said air having lower humidity being introduced to said enclosure from outside said enclosure (p. 19, lines 5-14).

Claim 118 is directed to a method of washing and drying a pin without substantially moving the pin from a given position, including washing the pin while applying a vacuum to remove wash fluid previously applied to the pin, and further including drying the pin by applying a vacuum to draw air past the pin. The method includes the following limitations, support for which in the specification is indicated parenthetically, noting that the cited


embodiments are intended simply to provide an illustrative example of the claimed subject matter:

moving said pin to a given position (p. 12, lines 6-9);
washing said pin while in said given position with a wash fluid while applying a vacuum to remove wash fluid previously applied to said pin (p. 13, lines 8-13);
drying said pin without substantially moving said pin from said given position (p. 12, lines 6-9),
said pin being dried by applying a vacuum to draw air past said pin (p. 16, lines 22-27).

Applicants submit that the above remarks satisfy 37 CFR 41.37(c)(1)(v). No fees are believed to be due at this time. In the event of a fee deficiency, please charge Deposit Account No. 08-0219 accordingly.

Respectfully submitted,

Dated: October 23, 2006



Michael A. Diener
Registration No.: 37,122
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)